

For a of Culture Lawfulness



CICIG The International
Commission against
Impunity in Guatemala



The International Commission against Impunity in Guatemala (known by its Spanish acronym as CICIG) was established on the basis of an agreement between the United Nations and the Government of Guatemala on 12 December 2006. This agreement was ratified by the Congress of the Republic on 1 August 2007 and went into effect on 4 September 2007.

From the political, organizational and financial standpoint, the Commission is an independent body. Its budget is funded through voluntary contributions by the international community. A trust fund managed by the United Nations Development Programme in Guatemala was created for this purpose.

CICIG is one of the tools used by the United Nations to strengthen the rule of law in Member States. Its novelty lies in the fact that, for the first time, an international body has been given the authority to conduct criminal proceedings in national courts. The Commission investigates cases that fall within its mandate and supports criminal prosecutions through the national justice system. In other words, prosecutions and court decisions are the responsibility of the State of Guatemala. Thus, CICIG plays a fundamental role in strengthening the State institutions responsible for criminal prosecution.

It is also hoped that national judiciary institutions will be strengthened through CICIG's work so that they can continue combating illegal groups and organized crime in the future.



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Mandate

CICIG's mandate, as established in the agreement, encompasses three main objectives:

1. CICIG shall investigate the existence of illegal and clandestine security bodies and organizations which commit crimes that impair the fundamental rights of Guatemalan citizens; it shall also identify the structure of those illegal groups, including links between State officials and organized crime, their activities, *modus operandi* and sources of funding.

2. CICIG shall support the work of Guatemalan institutions in the justice sector as part of its mandate to investigate and criminally prosecute individuals implicated in these illegal bodies. It shall also carry out disciplinary actions and make recommendations to the Government for the adoption of new public policies, mechanisms

and procedures aimed at eradicating these groups and strengthening the State's ability to protect its citizens' basic human rights.

3. The Commission shall provide technical assistance to justice sector institutions. This will enable the Public Prosecutor's Office and the National Civilian Police to better combat organized crime even after the CICIG mandate comes to an end.

The work done by CICIG has a very important confidentiality component. This is done essentially to prevent information leaks that may obstruct investigative activities and hinder the achievement of the expected results.

Special Prosecutor's Office for CICIG

In compliance with the Commission's mandate and the Bilateral Cooperation Agreement entered into between the Public Prosecutor's Office and CICIG, the Special Prosecutor's Office for CICIG (the SPO) was created on 29 February 2008. This is where the cases falling within

CICIG's mandate that are transferred by the Attorney General to CICIG at the Commission's request are investigated. CICIG supports these investigations through the assistance of



international investigators and lawyers and the use of logistical tools. The SPO's Coordination Office has also started reviewing the organization of the special prosecution offices of the Public Prosecutor's Office as well as the investigative procedures which they follow in their case investigations.

Legal Reforms

CICIG proposes and promotes legislative reforms in the following key areas, including:

- Constitutional injunctions
- Procedures for removing immunity from public officials
- Anti-corruption
- Seizure of assets illegally obtained through organized crime
- Trafficking of migrants
- Trafficking of persons
- Disciplinary measures in the Criminal Justice System
- International Legal Cooperation

Also, the CICIG considers it of utmost importance that Guatemala makes advances in area of police reform and substantially improve the process for career advancement within the Judiciary and the Public Prosecutor's Office.

Extension

CICIG's mandate was extended for an additional two years through an exchange of correspondences between the Government of Guatemala and the United Nations Secretary General. Following the protocol stipulated in article fourteen of the Agreement on the establishment of CICIG, the Guatemalan Foreign Affairs Minister wrote to the Secretary General on 23 December 2010, formally proposing the extension of the mandate.

In a letter signed on 13 January 2011, the United Nations Secretary General confirmed that the Minister's letter along with the reply constituted an agreement to extend the mandate for an additional two year period, starting from 4 September 2011.

"Injustice anywhere is a threat to justice everywhere."

Martin Luther King, Jr.



In December 2010, during the United Nations General Assembly, all of the countries represented unanimously co-sponsored the draft resolution, that urged the Government of Guatemala to continue to provide the support needed to solidify the achievements and overcome the challenges facing the work of the Commission. They also urged the Government of Guatemala to double its efforts to strengthen the institutions that support the foundation for the rule of law and the protection of human rights in Guatemala, and expressed their appreciation to Member States and other donors that have supported the Commission through voluntary contributions, financial and otherwise, and urged them to continue to support it.

*The fight against impunity
is difficult and requires
everybody's commitment
if it is to be sustainable
over time.*



**The fight against
impunity is
essentially the
responsibility of the
State of Guatemala.**

CICIG will continue giving
the State of Guatemala all
of its support and
assistance to ensure that
illegal security groups and
clandestine security
organizations, particularly
those that have infiltrated
the Guatemalan justice
system, can finally be
dismantled.

**To learn more, visit:
www.cicig.org**

**Contact:
Apartado Postal 934 A, Guatemala,
Guatemala.**

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